

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

L. FLETCHER,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF SOCIAL AND HEALTH SERVICES;
SPECIAL COMMITMENT CENTER,

Defendants.

Case No. C05-5733 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendants' Motion to Strike Amended Complaint [Dkt. #25].

Having considered the entirety of the records and file herein, the Court rules as follows:

On April 6, 2006 plaintiff filed an Amended Complaint. Defendant moves to strike the Amended Complaint because plaintiff failed to seek permission of the Court to file the Amended Complaint and because the Amended Complaint seeks to add a new party defendant. Plaintiff has failed to respond in opposition to this motion. Ordinarily, plaintiff's failure to respond would be grounds for the granting of the motion, see CR7(b)(2), Local Rules W.D. Wash.; however, because leave to amend a complaint should be "freely given", Fed. R. Civ. P. 15(a), the Court will **DENY** defendant's motion to strike. Defendants shall be given twenty days from entry of this Order in which to file an Answer to the Amended Complaint.

1 **IT IS SO ORDERED.**

2 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing
3 pro se.

4 Dated this 31st day of May, 2006.

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6 RONALD B. LEIGHTON
7 UNITED STATES DISTRICT JUDGE
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